

DECLARATION AND POWER OF ATTORNEY

As the below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if plural, names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled **Method and System for Monitoring Computer Networks and Equipment**, the specification of which (check one):

 X is attached hereto.
 was filed on as Application
Serial No. and was amended on
 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above; that I do not know and do not believe that said invention, design or discovery was ever known or used in the United States of America before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said invention, design or discovery has not been patented or made the subject of an inventor's

certificate issued prior to the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed</u> (Yes) (No)
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

(Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to

patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application</u> <u>Serial Number</u>	<u>Date Filed</u>	<u>Status</u>
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None

I hereby appoint:

WILLIAM N. HULSEY III	Registration No. 33,402
STEVEN R. SPRINKLE	Registration No. 40,825
STEPHEN E. REITER	Registration No. 31,192
TERRANCE A. MEADOR	Registration No. 30,298
GREGORY P. RAYMER	Registration No. 36,647
DAVID F. KLEINSMITH	Registration No. 40,050
BARRY N. YOUNG	Registration No. 27,774
TIMOTHY W. LOHSE	Registration No. 35,255
STANLEY H. KIM	Registration No. 40,047
DARLENE W. HAYES	Registration No. 33,899
RAMSEY R. STEWART	Registration No. 38,322
ROBERT A. MCLAUCHLAN	Registration No. P,44,924
ARMANDO PASTRANA, JR.	Registration No. 44,997
HAYWARD VERDUN	Registration No. 43,223

all of the firm of Gray Cary Ware & Freidenrich, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities and to file any continuation, divisional, continuation-in-part, reissue or re-examination applications thereon.

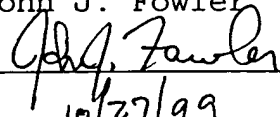
Direct all telephone calls to:

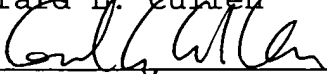
Armando Pastrana, Jr.
Telephone: (512) 457-7080

Send all correspondence to:

Armando Pastrana, Jr.
GRAY CARY WARE ▲ FREIDENRICH LLP
100 Congress Avenue
Suite 1440
Austin, TX 78701-4042

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	John J. Fowler
Inventor's signature:	<u></u>
Date:	<u>10/27/99</u>
Residence (City, County, State)	Austin, Travis, Texas
Citizenship:	U.S.A.
Post Office Address:	4805 Avenue G, Apt. A Austin, Texas 78751

Full name of first inventor:	Gerard L. Cullen
Inventor's signature:	<u></u>
Date:	<u>10/22/99</u>
Residence (City, County, State)	Austin, Travis, Texas
Citizenship:	U.S.A.
Post Office Address:	1707 Spy Glass Drive, #52 Austin, Texas 78746

Please type a plus sign (+) inside this box →



PTO/SB/82 (10-00)

Approved for use through 10/31/2002. OMB 0851-0035

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REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	09/429,504
Filing Date	10/27/1999
First Named Inventor	Fowler, et al.
Group Art Unit	2142
Examiner Name	Jason D. Cardone
Attorney Docket Number	1017-0014

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:

☐ Customer Number



Place Customer
Number Bar Code
Label here

OR

☐ Firm or
Individual Name

Address

Address

City

Country

Telephone

State

ZIP

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Name Mitchell Medford, Vice President of Engineering, NetBotz, Inc.

Signature

Date 4/28/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Buysen Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/81 (02-01)

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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	09/429,504
Filing Date	10/27/1999
First Named Inventor	Fowler, et al.
Title	Method and System for Monitoring Computer Networks and Equipment
Group Art Unit	2142
Examiner Name	Jason D. Cardone
Attorney Docket Number	1017-0014

I hereby appoint:

☒ Practitioners at Customer Number

34456

OR

☐ Practitioner(s) named below:

34456

PATENT TRADEMARK OFFICE

Name	Regist

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer NumberPlace Customer
Number Bar Code
Label here☐ Firm or
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

Mitchell Medford, Vice President of Engineering, NetBotz, Inc.

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Micro Web ServersApplication No./Patent No.: 09/429,504 Filed/Issue Date: 10/27/1999Entitled: Method and System for Monitoring Computer Networks and EquipmentNetBotz, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: John J. Fowler and Gerard L. Cullen To: Micro Web Servers

The document was recorded in the United States Patent and Trademark Office at
Reel 010355, Frame 0960, or for which a copy thereof is attached.

2. From: Micro Web Servers To: NetBotz, Inc.

The document was recorded in the United States Patent and Trademark Office at
Reel 011804, Frame 0779, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/28/03
Date

Mitchell Medford
Typed or printed name

[Signature]
Signature

Vice President of Engineering
Title